REMARKS

The Office Action dated May 17, 2007, has been received and carefully noted. In response thereto, Applicants submit this paper and respectfully request the Examiner's entry and consideration thereof. No claims have been amended, no new claims have been added to the application, and no new matter is presented by this paper. Therefore, claims 35-49 and 51-65 are pending and submitted for consideration herein.

In paragraph 1 of the Office Action, claims 35, 36, 38-42, 48, 49, 52, 53, 57-61, 63, and 64 were rejected under 35 USC §102(e) as being anticipated by *Dorf* (US Patent No. 6,000,608). The Office Action took the position that *Dorf* expressly teaches each and every element recited in the rejected claims. Applicants traverse the rejection and respectfully submit that *Dorf* fails to teach each and every element recited in claims 35, 36, 38-42, 48, 49, 52, 53, 57-61, 63, and 64.

More particularly, Applicants' independent claim 35, from which each of claims 36-39 and 57-58 directly or indirectly depend, expressly recites a system for effecting electronic payment that includes a terminal located at a point-of-sale that is operable to exchange electronic messages with a financial network, and a payment processor having a database for storing a list of participating point-of-sale merchants and a database associating each of a plurality of intermediary account numbers with at least one corresponding end-user account number, where each end-user account number is associated with a corresponding vendor. Applicants' claimed system further includes the payment processor being operable to exchange electronic messages with the point-of-sale terminal via the financial network and having means for crediting an indicia of monetary value to a corresponding intermediary account stored in a database coupled to the payment processor in response to receiving a payment message from the point-of-sale terminal. Further still, Applicants' claimed system includes an interface means for communicating at least a recharge transaction to the corresponding vendor to credit

a selected one of the end-user accounts associated with the corresponding intermediary account in response to crediting the corresponding intermediary account.

Applicants' independent claim 40, from which claims 41-47 and 59-65 directly or indirectly depend, similarly recites a method for effecting payment for telephone services. The method is expressly recited as including establishing a intermediary account having a corresponding account identifier, associating the account identifier of the intermediary account with an end-user's prepaid account maintained by a telecommunication vendor and storing the association in a database coupled to a central payment processor, wherein the association includes information that allows the central payment processor to identify the end-user's prepaid account when presented with the account identifier, and facilitating a payment transaction between the end-user and a point-of-sale, the payment transaction comprising receiving a payment from the end-user at the point-of-sale together with the account identifier for loading value into the end-user's prepaid account. The method further includes electronically communicating data indicative of the transaction from the point-of-sale to the central payment processor, validating (in the central processor) the transaction data and transmitting a response to the point-of-sale, and if the validating step results in approval of the transaction, (in the central processor) sending a message to the telecommunication vendor for loading value into the end-user's associated prepaid account responsive to the payment transaction.

Applicants' independent claim 48, from which each of claims 49-56 directly or indirectly depend, recites a method for effecting payment for goods or services. The method is recited as including providing a centralized payment processor, establishing an intermediary account in a database that is coupled to the payment processor, the intermediary account having a corresponding account identifier, associating the intermediary account with an end-user account associated with a corresponding vendor, and conducting a payment transaction comprising receiving a payment together with the

account identifier from the end-user at a point-of-sale. The method further includes communicating data indicative of the payment transaction from the point-of-sale to the centralized payment processor via a financial network, in the payment processor, validating the payment transaction data and transmitting a response to the point-of-sale, said response including an indication of approval if the validating step results in approval of the transaction, in the payment processor, if the validating step results in approval of the transaction, crediting an indicia of monetary value to the corresponding intermediary account in response to the payment transaction, and sending a message to the vendor for loading value into the end-user account responsive to the payment transaction.

Dorf, in Figure 1, teaches a multifunction card system 108 that includes a plurality of cards 101, a sponsor bank processor 102, and a processing hub 103, which serves as the nerve center of the system 108. If the system 108 is to provide prepaid phone cards, it will also include a prepaid phone card issuer hub 104 that is maintained by a prepaid phone card issuer. System 108 uses existing banking networks to gain access to retail point-of-sale (POS) devices 105, which include stand-alone POS terminals, cash registers with POS interfacing, or computers with POS interfacing. To access the POS devices 105, the operator of the system 108 must have a Bank Identification Number (BIN) encoded on a magnetic strip 106 of the card 101, which serves as a unique identifier of the multifunction card system 108 within the banking network. The operator of the system 108 should also have a sponsoring bank whose bank processor 102 will serve as the link between the processing hub 103 and a banking network. By providing a means for any given POS device 105 to connect to the processing hub 103, the system 108 allows a retailer to remotely activate or add value or loyalty data to a system card.

Dorf, in regards to prepaid phone cards, teaches a processing hub 103 forwarding a card identification number, retail store and POS device information, and

amount information to the issuer hub 104 maintained by the prepaid phone card issuer. Col. 7, lls. 10-13. The issuer hub 104 contains one or more phone card databases 204 which store information about each phone card. Col. 7, lls. 13-15. When the issuer hub 104 receives the data from the processing hub 103, it activates the record in the phone card database 204 having the same identification number as the card 101. Col. 7, lls. 15-18. The value field in the record is then increased by the appropriate amount purchased. Col. 7, lls. 18-19. The issuer hub 104 then returns an authorization number which travels back along the same path to the originating POS device 105. Col. 7, lls. 20-22. Therefore, *Dorf* teaches the issuer hub 104 granting the authorization for the increasing the value of the account after receiving the account information from the processing hub 103. In *Dorf*, the processing hub 103 forwards the transaction information to the issuer hub 104 which credits the user's account in the phone card database 204, without using and sort of intermediary account whose value is increased by the transaction. There is only one phone card account database in *Dorf* and that is phone card database 204 located in the issuer hub 104. As such, there is no intermediary account database taught or disclosed in *Dorf*.

Dorf, also teaches the use of electronic gift certificate (EGC) cards, in which upon receipt of the transaction data, the hub 103 recognizes the card 101 as being an EGC card and activates or recharges the card 101 in the appropriate amount in an EGC database 205 maintained at the processing hub 103. Col. 7, line 65 – col. 8, line 2. However, *Dorf* does not teach the use of an intermediary account in this embodiment either. *Dorf* only teaches the use of a single account, the EGC database 205 maintained at the processing hub 103.

Therefore, Applicants submit that *Dorf* does not teach or disclose an intermediary account or any of Applicants' recited limitations related to the intermediary account. More particularly, although *Dorf* appears to teach POS terminals communicating with a financial network and a payment processor, *Dorf* does not teach or disclose that the

payment processor has a database associating *intermediary account numbers* with particular end-user accounts as expressly recited in independent claim 35. Further, *Dorf* also fails to teach or disclose a means for crediting an indicia of monetary value *to a corresponding intermediary account* stored in a database coupled to the payment processor in response to receiving a payment message from the point-of-sale terminal, and further including interface means for communicating at least a recharge transaction to the corresponding vendor to credit a selected one of the end-user accounts associated with the corresponding intermediary account in response to crediting the corresponding intermediary account as expressly recited in claim 35. As such, Applicants submit that claim 35 recites subject matter that is not taught or disclosed by the cited prior art. Therefore, the Examiner's reconsideration and withdrawal of the rejection of claim 35, along with claims 36-39 and 57-58 that depend from and further limit claim 35, is respectfully requested.

In regards to independent claim 40, as discussed above, *Dorf* does not teach or disclose establishing an intermediary account having a corresponding account identifier; and associating the account identifier of the intermediary account with an end-user's prepaid account maintained by a telecommunication vendor and storing the association in a database coupled to a central payment processor, as expressly recited in claim 40. Furthermore, *Dorf* does not teach in the central payment processor, validating the transaction data and transmitting a response to the point-of-sale; and in the central payment processor, if the validating step results in approval of the transaction, sending a message to the telecommunication vendor for loading value into the end-user's associated prepaid account responsive to the payment transaction. Rather, *Dorf*, teaches the processing hub 103 validating the transaction data, and if approved, forwarding the data to the issuer hub 104 maintained by the prepaid phone card issuer, the issuer hub 104 then activating the record in the phone card database 204 and the issuer hub 104 returning an authorization number back to the originating POS device. Col. 7, lls. 5-22. Again, in *Dorf*, there is no central payment processor that transmits a

response to the point of sale, it is the issuer hub 104 maintained by the prepaid phone card issuer that transmits a response to the point of sale. As such, Applicants submit that claim 40 recites subject matter that is not taught or disclosed by the cited prior art. Therefore, the Examiner's reconsideration and withdrawal of the rejection of claim 40, along with claims 41-47 and 59-65 that depend from and further limit claim 40, is respectfully requested.

In regards to independent claim 48, as discussed above, *Dorf* does not teach, among other things, establishing an intermediary account in a database that is coupled to the payment processor, the intermediary account having a corresponding account identifier; and associating the intermediary account with an end-user account associated with a corresponding vendor, as expressly recited in claim 48. Furthermore, *Dorf* does not teach in the payment processor, validating the payment transaction data and transmitting a response to the point-of-sale, said response including an indication of approval if the validating step results in approval of the transaction; in the payment processor, if the validating step results in approval of the transaction, crediting an indicia of monetary value to the corresponding intermediary account in response to the payment transaction; and sending a message to the vendor for loading value into the end-user account responsive to the payment transaction. Rather, *Dorf*, teaches the processing hub 103 validating the transaction data and if approved forwarding the data to the issuer hub 104 maintained by the prepaid phone card issuer, the issuer hub 104 then activating the record in the phone card database 204 and the issuer hub 104 returning an authorization number back to the originating POS device. Col. 7, lls. 5-22. Again, in *Dorf*, there is no central payment processor that transmits a response to the point of sale, it is the issuer hub 104 maintained by the prepaid phone card issuer that transmits a response to the point of sale. As such, Applicants submit that claim 48 recites subject matter that is not taught or disclosed by the cited prior art. Therefore, the Examiner's reconsideration and withdrawal of the rejection of claim 48, along with claims 49 and 51-56 that depend from and further limit claim 48, is respectfully

requested.

CONCLUSION

Applicants submit that all matters set forth in the Office Action have been addressed in this Response. Further, Applicants believe that the above noted remarks distinguish Applicants' claims from the cited prior art, and that the claims are in condition for allowance. More particularly, Applicants submit that none of the cited prior art, when taken alone or in combination, teaches the use of the intermediary account and the association between the intermediary account numbers and the end users, as recited in each of Applicants' claims. Therefore, favorable consideration and an early indication of allowability is respectfully requested. In the event that the Examiner does not believe that Applicants' claims are in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney by telephone to arrange for a telephonic interview to expedite the disposition of this application.

Respectfully submitted,

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I hereby certify that this correspondence is being filed with the U.S. Patent and Trademark Office via EFS-Web on August 17, 2007.

Michelle Baxter